



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

## (1) Fifth and Final Account and Report of Successor Conservator and (2) Petition for Allowance of Compensation to Successor Conservator and Attorney for (3) Distribution

<b>DOD: 01/16/14</b>		<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: <b>06/18/13 – 01/17/14</b>	
		Accounting - <b>\$152,882.35</b>	
		Beginning POH - <b>\$119,074.74</b>	
		Ending POH - <b>\$129,717.41</b>	
<b>Cont. from</b>		Subsequent account period: <b>01/17/14 – 04/04/14</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>	Attorney - <b>\$1,000.00</b> (Less than allowed per Local Rule)	
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>	Bond Fee - <b>\$386.90</b> (ok)	
<input type="checkbox"/>	<b>Objections</b>	Costs - <b>\$435.00</b> (filing fees)	
<input type="checkbox"/>	<b>Video Receipt</b>	Petitioner states that the conservatee died intestate and is survived by his sister, Isabel Valdez. Ms. Valdez has executed an affidavit pursuant to Probate Code § 13101. After payment of allowed fees and commissions, Petitioner requests distribution of the remaining cash of \$123,265.59 and personal property valued at \$1,364.75 be made to Ms. Valdez.	
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>2620(c)</b>	n/a	
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>	<b>Petitioner prays for an Order:</b> <ol style="list-style-type: none"> <li>1. Approving, allowing and settling the fifth and final account;</li> <li>2. Authorizing the conservator and attorney fees and commissions;</li> <li>3. Authorizing payment of the bond fee;</li> <li>4. Authorizing petitioner to distribute the balance of property on hand to Isabel Valdez.</li> </ol>	

<b>Reviewed by:</b> JF
<b>Reviewed on:</b> 06/06/14
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 2 - Reyes</b>

(1) First and Final Account and Report of Executor and (2) Petition for Allowance of Compensation to his Attorney and (3) Reimbursement to Executor for Funeral Expenses and (4) Closing of an Insolvent Estate

<b>DOD: 10-29-08</b>		<b>BRIAN FRY</b> , Executor with Full IAEA without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Account period: 1-27-09 through 11-30-13</b> Accounting: \$4,727.19 Beginning POH: \$4,727.19 Ending POH: \$4,727.19	Continued from 2-10-14, 3-18-14, 4-29-14
<b>Cont. from 021014, 031814, 042914</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Executor (Statutory): Waives	<b>Minute Order 4-29-14: Counsel</b> informs the court that she received information that there are more assets in the estate. Counsel will be filing an amended petition.
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>	<b>Executor: \$1,792.19</b> (Partial reimbursement for funeral costs)	<b>As of 6-6-14, nothing further</b> has been filed. The following issues remain:  <u><b>SEE ADDITIONAL PAGE</b></u>
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	<b>Attorney: \$2,500.00</b> Attorney LeVan states she expended 16 hours @ \$200/hr, which would be \$3,200.00; however, is willing to accept \$2,500.00 as total payment for her services to the estate.	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<b>Examiner's Note:</b> Statutory fee based on the estate value pursuant to Probate Code §10800 would be \$189.09.	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<b>Costs: \$435.00</b> (filing fee for this petition)	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>	<b>Petitioner lists the five Creditor's Claims</b> filed against the estate at Exhibit A.	
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>	<b>Petitioner requests that:</b> 1. Notice of Hearing of this account, report, and petition be given as required by law; 2. The Court make an order approving, allowing, and settling the account and report of the conservator [sic] in all respects as filed; 3. The Court authorize Petitioner to pay his attorney \$2,500.00 as compensation for her services during the period of this accounting; 4. The Court authorize partial reimbursement for funeral expenses to Petitioner in the amount of \$1,792.19; 5. The Court authorize the Petitioner to close this estate due to exhaustion of all assets; and 6. Any other orders that the Court considers proper.	
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>	<b>Reviewed by:</b> skc	
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>	<b>Reviewed on:</b> 6-6-14	
<input checked="" type="checkbox"/>	<b>Order</b>	<b>Updates:</b>	
<input type="checkbox"/>	<b>Aff. Posting</b>	<b>Recommendation:</b>	
<input type="checkbox"/>	<b>Status Rpt</b>	<b>File 3 – Fry</b>	
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

**NEEDS/PROBLEMS/COMMENTS (Cont'd):**

1. This accounting is incomplete and does not contain all applicable schedules and documentation required by Probate Code §§ 10900, 1060 et seq. If accounting is to be waived, need waiver from Craig Fry.
2. Petitioner lists the four (4) Creditor's Claims that were filed (totaling \$16,537.21), but does not state the action taken on the claims pursuant to Probate Code § 10900. Therefore it does not appear that the estate is in a position to close.

Update: Allowances for all of the claims have now been filed and notice of hearing has been served on the creditors. However, Petitioner has still not addressed the claims pursuant to § 10900.

3. I&A filed 12-24-08 indicated \$4,727.19 in cash in a checking account and an investment account ("American Century Investments") as of the decedent's date of death (10-29-08). Petitioner now states the POH at the end of this account period (11-30-13) is the same amount. If \$4,727.19 has been untouched (no receipts, no disbursements) in a checking account and an investment account for approx. five years, why wasn't interest earned? One of the duties of the personal representative is to maintain funds in interest-bearing accounts. See Duties and Liabilities signed by Petitioner and filed 12-24-08. Petitioner does not indicate any change in the form of the assets, therefore, it is unclear why no interest was earned.
4. Petitioner waives statutory compensation but requests reimbursement for \$1,792.19 in funeral costs. However, no documentation is provided. The Court may require clarification.
5. Attorney requests compensation of \$2,500.00, stating that this is less than what is owed for the work performed. However, the statutory fee pursuant to Probate Code § 10800 based on the value of the estate (\$4,727.19) would be only \$189.09. The attorney does not provide itemization that would be required for extraordinary compensation, nor would the work performed be considered extraordinary. Further, this estate was opened in 2008 and is approx. four years delinquent in its closing.

Pursuant to Probate Code § 12205, the Court may reduce the compensation of the personal representative or the attorney for the personal representative if the time taken for administration exceeds the time required by Probate Code § 12200 (one year), the time taken was within the control of the personal representative or the attorney, and the delay was not in the best interest of the estate.

In this case, there does not appear to be any reason why administration was delayed, and as mentioned above, it does not appear that the estate funds were held in an interest-bearing account during this time, to the detriment of the creditors and the heirs.

6. New: Per Minute Order 4-29-14, there are more assets and an amended petition is necessary.

(1) First and Final Account of Executor and Petition for its Settlement; (2) for Allowance of Fees and (3) for Final Distribution

<b>DOD: 03/27/10</b>		<b>HAROLD G. NELSON</b> , Executor, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: <b>03/27/10 – 08/31/12</b>	
<b>Cont. from</b>		Accounting - <b>\$125,847.21</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$111,291.94</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$17,847.36</b> (\$17,743.08 is cash)	
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>	Executor - <b>\$4,685.42</b> (statutory)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Attorney - <b>\$4,685.42</b> (statutory)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>	Attorney x/o - <b>\$1,499.50</b> (related to the sale of real property, itemized by date for 4.9 hours of attorney time @ \$280/hr. and .3 hours of paralegal time @ \$85/hr. and .85 hours of paralegal time @ \$120/hr.)	
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>	06/02/10	
	<b>Duties/Supp</b>		
	<b>Objections</b>	Closing - <b>\$2,000.00</b>	
	<b>Video Receipt</b>	<b>Distribution, pursuant to decedent's will, is to:</b>	
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>	Harold Nelson - \$2,436.37 cash, plus a portion of stocks valued at \$50.64	
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>	Harry N. Nelson - \$487.27 cash, plus a portion of stocks valued at \$10.13	
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>	Christina Nelson - \$487.27 cash, plus a portion of stocks valued at \$10.13  Tanya Nelson - \$487.27 cash, plus a portion of stocks valued at \$10.13  Ester Nelson - \$487.27 cash, plus a portion of stocks valued at \$10.13  Harry J. Nelson - \$487.27 cash, plus a portion of stocks valued at \$10.13	

<b>Reviewed by:</b> JF
<b>Reviewed on:</b> 06/06/14
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 4 - Nelson</b>

(1) Report on Waiver of Account and (2) Petition for Its Settlement, for (3) Allowance of Attorney Fees and Costs and for (4) Final Distribution

DOD: 04/08/13		CYNTHIA GERRINGER, Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	<b>OFF CALENDAR</b> <b>Amended Waiver of Account filed 05/30/14 and set for hearing on 07/01/14</b>
Cont. from 011614, 021314, 032614, 052314		I & A - \$244,765.39 (see note 1)	
	Aff.Sub.Wit.	POH - \$138,065.65 (all cash)	1. The Petition references a final Inventory & Appraisal filed 06/15/13 in the amount of \$108,765.39 on page 3, item 10. However the Final Inventory & Appraisal was filed 10/04/13 reflecting assets in the amount of \$108,618.76. Therefore, it appears that the total assets of the estate equal \$244,618.76 rather than \$244,765.39. This difference also effects the calculation of the statutory fees. 2. Need Order.  <b>Note:</b> Examiner calculates the fee base to be \$271,975.20 and the statutory fee to be \$8,439.50, resulting in \$60,375.83 to be distributed to each beneficiary.
✓	Verified	Administrator - \$8,442.44 (statutory, see note 1)	
✓	Inventory	Attorney - \$8,442.44 (statutory, see note 1)	
✓	PTC	Costs - \$435.00 (filing fee)	
✓	Not.Cred.	<b>Distribution, pursuant to intestate succession, is to:</b>	
✓	Notice of Hrg	John Robert Marin - \$60,372.88	
✓	Aff.Mail	Cynthia Geringer - \$60,372.88	
	Aff.Pub.	<b>Objections to Report and Waiver of Account and Objection to Petition for its Settlement; Points and Authorities</b>	
	Sp.Ntc.	filed 01/13/14 by Eleanor Copeland states:	
	Pers.Serv.	1. Objector is the sole heir of decedent's predeceased spouse and is entitled to inherit ½ of the community property under Probate Code § 6402.5(a)(2), 6402.5(b)(2) and 240.	
	Conf. Screen	2. The Petition erroneously states that the estate consists entirely of the decedent's separate property.	
	Letters	3. Decedent's estate consists of a residence purchased during her 38 year marriage and decedent's income, earned while married, which funded her pension.	
	Duties/Supp	Continued on Page 2	
✓	Objections		
	Video Receipt		
	CI Report		
✓	9202		
	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		

4. Decedent did not designate a beneficiary for her pension and that pension plan has terminated. Those funds are now **former ERISA plan benefits**. (Emphasis in original) The former pension funds have been paid to the Administrator, as they come into decedent's estate, they retain their community property character, and are distributable with other community property.
5. The Petition for Probate appointing Petitioner as Administrator of Decedent's estate failed to state that decedent was survived by a parent of a predeceased spouse and Objector is objecting on that basis. Decedent's husband, George L. Copeland, died on 05/21/09.
6. Objector is an intestate heir of decedent's predeceased spouse under Probate Code § 6402.5(a)(2), 6402.5(b)(2) and has standing to bring these objections. Objector requests judicial notice under Evidence Code § 452(d) of her petition to determine heirship and the beneficial interests of the intestate heirs thereunder.
7. The pension funds that were distributed to the Administrator consist of IBM Retirement Savings and a beneficiary account with the IBM 401(k) Plus Plan.
8. Decedent's residence on Stanford in Clovis is community property of decedent and her predeceased husband George Copeland. The property was purchased on 06/22/88, during their marriage, they were married on 11/16/72.
9. By law ERISA (Employment Retirement Income Security Act of 1974) federal preemption is limited. California law still creates a community property interest in decedent's income earned during the marriage.
10. Once an ERISA-qualified plan terminates or the participant terminates his or her interest in the plan and the benefits are transferred out of the plan, ERISA no longer applies and there is no federal preemption. In this case, decedent did not designate a pension plan beneficiary, and the funds were property distributed to the Administrator for disposition in decedent's estate.
11. A community property interest in acquired during marriage and before separation. A spouse's community property interest arises at the time it is acquired and is not affected by a change in the form of the property. Its community property status can only be altered by judicial decision or joint action between the parties.
12. In California, the community vs. separate character of property is determined by reference to the time of its acquisition.
13. Both the residence and the IBM Pension funds were acquired during the marriage. The proceeds from the sale of the marital residence and the former 401(k) pension funds are community property and one-half is distributable under community property principles to the heirs of a predeceased spouse under Probate Code § 6402.5(a)(2) and 6402.2(b)(2). Accordingly, one-half of the estate should be distributed to Objector as the sole heir of the predeceased spouse, and one-half should be distributed to the decedent's heirs at law, being her brother and sister.

**Objector prays for an Order:**

1. Denying the request to settle the report on waiver of account and the petition thereon;
2. Find that the estate consists entirely of community property;
3. Set bond in an appropriate amount as Objector has not waived bond; and
4. Order that community property be distributed pursuant to Objector's petition to determine heirship.

**Petition to Determine Heirship**

<b>DOD: 04/08/13</b>		<b>ELEANOR COPELAND</b> , is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioner states:</b>	<b><u>CONTINUED FROM 05/23/14</u></b>
		1. She is the mother of George Copeland, predeceased spouse of decedent Rebecca Copeland and is entitled to inherit under the laws of intestacy set forth in Probate Code § 6402.5(a)(2) and 6402.5(b)(2) and 240.	<b>As of 06/05/14, nothing further has been filed in this matter.</b>
<b>Cont. from 011614, 021314, 032614, 052314</b>		2. Decedent died intestate on 04/08/13 leaving an estate in Fresno County, California.	1. Need Order.
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	3. Decedent's siblings are entitled to inherit under Probate Code § 6402(c).	
<input checked="" type="checkbox"/>	<b>Verified</b>	4. Cynthia Gerringer, decedent's sister, filed a Petition for Probate on 05/21/13 and is now the Administrator of decedent's estate.	
<input type="checkbox"/>	<b>Inventory</b>	5. Petitioner's son, George Copeland, was married to the decedent until his death on 05/21/09. Since George died less than 5 years before the decedent's death, Petitioner is entitled to one-half of the decedent's community property (Probate Code § 6402.5(a)(2)).	
<input type="checkbox"/>	<b>PTC</b>	6. Petitioner alleges that the estate should be divided as follows:	
<input type="checkbox"/>	<b>Not.Cred.</b>	<u>Community Property:</u>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	- ½ to Eleanor Copeland, mother of predeceased spouse of the decedent	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	- ¼ to John Robert Marin, brother of decedent	
<input type="checkbox"/>	<b>Aff.Pub.</b>	- ¼ to Cynthia Gerringer, sister of decedent	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<u>Separate Property:</u>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	- ½ to John Robert Marin, brother of decedent	
<input type="checkbox"/>	<b>Conf. Screen</b>	- ½ to Cynthia Gerringer, sister of decedent	
<input type="checkbox"/>	<b>Letters</b>	Birth/Death and Marriage Certificates attached to Petition.	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>	x	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Petitioner prays that the Court determine the heirship and entitlement to the estate.</b>	<b>Reviewed by:</b> JF <b>Reviewed on:</b> 06/05/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 5B – Copeland</b>



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<b>DOD: 04/08/13</b>																															
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<b>File 5C - Copeland</b>																															

**5C**

## (1) First and Final Report of Administrator on Waiver of Account and (2) Petition for Allowance of Compensation to Attorneys for Ordinary Services, and (3) for Final Distribution

<b>DOD: 07/19/13</b>		<b>EUGENE B. ARRIET</b> , Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. It appears there is an error in the calculation of the statutory fee in the Petition. It appears there was a type in the fee base used to calculate the fee. \$557,112.42 was used, but the amount of the I & A is actually \$577,112.42. Examiner calculates the statutory fee to be \$14,542.25 based on the I & A amount of \$577,112.42. If the attorney elects to take the higher (correct) statutory fee, the amount available for distribution and thus all proposed distributions will be effected.
		Accounting is waived.	
<b>Cont. from</b>		I & A - <b>\$577,112.42</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	POH - <b>\$547,747.53</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	(\$152,154.79 is cash)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Administrator - <b>waived</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	Attorney - <b>\$14,142.24</b> (less than statutory)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Costs - <b>\$435.00</b> (filing fees)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Closing - <b>\$10,000.00</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<b>Distribution, pursuant to intestate succession, is to:</b>	
	<b>Aff.Pub.</b>	Eugene B. Arriet - \$42,525.86	
	<b>Sp.Ntc.</b>	cash, plus 1/9 interest in real property and various securities valued at \$116,864.24	
	<b>Pers.Serv.</b>	William J. Arriet - \$42,525.84	
	<b>Conf. Screen</b>	cash, plus 1/9 interest in real property and various securities valued at \$116,864.24	
	<b>Letters</b>	Bernice Arriet Velazquez - \$42,525.84	
	<b>Duties/Supp</b>	cash, plus 1/9 interest in real property and various securities valued at \$116,864.24	
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 06/06/14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 6 - Arriet</b>

## Petition for Appointment of Limited Probate Conservator of the Person (Prob. C. 1820, 1821)

Age: 18 years		<p><b>THERE IS NO TEMPORARY.</b> No temporary was requested.</p> <p><b>MARY PEREZ</b> and <b>ALBERTO PEREZ</b>, paternal grandparents, are petitioners.</p> <p><b>Declaration of Isabelo Artacho, M.D., 4/2/14.</b></p> <p><b>Petitioners state</b> they have been the primary care providers for Alexis since she was young and became her guardian on 3/29/13. Alexis has a diagnosis of Autism and mentally handicapped. Alexis is unable to attend to her basic needs. She has very limited communication skills.</p> <p><b>Court Investigator Charlotte Bien's Report filed on 5/23/14.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Court Investigator's report indicates the proposed conservatee has 7 siblings none of which were listed in the petition as required by Probate Code §1821(b) and there is no indication that the conservatee's siblings received notice of the hearing as required by Probate Code §1822.</li> <li>2. Need Video Viewing Receipt for proposed conservator Alberto Perez.</li> <li>3. Need Citation.</li> <li>4. Need proof of personal service of the Citation on proposed conservatee, Alexis Mary Mora.</li> <li>5. Petition request limited conservatorship however does not include attachment 1h relating to the limited conservatorship.</li> <li>6. Need order and letters.</li> </ol>
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

<b>Reviewed by: KT</b>	
<b>Reviewed on: 6/6/14</b>	
<b>Updates:</b>	
<b>Recommendation:</b>	
<b>File 7 - Mora</b>	

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob.  
C. 8002, 10450)

<b>DOD: 04/07/2014</b>		<p><b>FLOYD GREEN</b>, son-in-law is petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: The Business Journal</p> <p><u><b>Estimated Value of the Estate:</b></u>  <b>Personal property - \$450,174.00</b></p> <p>Probate Referee: Steven Diebert</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>Note:</b> If the petition is granted status hearings will be set as follows:</u></p> <ul style="list-style-type: none"> <li>• <b>Wednesday, 11/12/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u></li> <li>• <b>Wednesday, 08/12/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/		
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 06/06/2014</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b> Submitted</p> <p><b>File 8 - Wood</b></p>	

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or  
Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 12/01/2002</b>	<b>JUDY RILEY</b> , daughter, was appointed Administrator with will annexed without bond on 09/06/2005.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 05/09/2014: No appearances. Michael Milnes is ordered to be personally present on 06/10/2014.</b>  <b>Minute Order of 05/09/2014 on Order to Show Cause Re: Failure to File and Failure to Appear: No appearances. The Court imposes sanctions against Michael Mines and Judy Riley in the amount of \$500.00 each. Sanctions are ordered paid by 05/23/2014.</b>  <b>Copy of Minute Order mailed to Michael Milnes and Judy Riley on 05/14/2014.</b>  <b>Minute Order of 02/21/2014: No appearances. The Court notes the file has no indication of notices of being returned. The Court issues order to Show Cause with sanctions of \$500 to Judy Riley and Mr. Milnes for failure to file or appear.</b>  1. Need Inventory and Appraisal and First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
	Letters issued on 09/06/2005.	
	Inventory and Appraisal as due on 02/2006.	
<b>Cont. from 022114, 050914</b>	First Account or Petition for Final Distribution was due on 11/2006.	
<b>Aff.Sub.Wit.</b>	Notice of Status Hearing was mailed to Attorney Michael A. Milnes and Judy Riley on 11/21/2013.	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: LV</b>
		<b>Reviewed on: 06/06/2014</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 9 – Eldridge</b>

			<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>OFF CALENDAR</b></u></p> <p>Petition to terminate proceedings was granted on 6-3-14.</p>
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p><b>Reviewed by:</b> skC</p> <p><b>Reviewed on:</b> 6-6-14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 10 – Goodall</b></p>

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

DOD: 10/23/11		<p><b>BETSY McMILLAN</b>, daughter, was appointed as Executor with full IAEA and without bond on 01/04/12. Letters Testamentary were issued on 01/05/12.</p> <p><b>Inventory &amp; Appraisal, partial no. 1, filed 03/14/12</b> - \$64,500.00</p> <p><b>Inventory &amp; Appraisal, final, filed 11/20/12</b> - \$72,367.01</p> <p><b>Notice of Status Hearing</b> filed 11/18/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. <b>Clerk's Certificate of Mailing</b> states that a copy of the Notice of Status Hearing was mailed to attorney Joanne Sanoian and Betsy McMillan on 11/18/13.</p> <p><b>Unverified Status Report filed 01/30/14</b> requests a 60 day continuance for the Executor to prepare the First and Final Account.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>CONTINUED FROM 04/08/14</b></u></p> <p>1. Need First Account or Petition for Final Distribution First Account or Petition for Final Distribution <b>and/or</b> current verified status report.</p>
Cont. from 020714			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 06/05/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 11 – Castle</b></p>	

Atty Romero, Ruthy (Pro Per – Mother – Petitioner)

Atty Delsid, Justin (Pro Per – Brother – Guardian)

## Petition for Visitation

			<b>RUTHY ROMERO</b> , Mother, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			<b>JUSTIN DELSID</b> , Brother, was appointed Guardian on 2-2-10.	<b>Note:</b> Page B is a related petition for visitation filed by Selina Romero, the minor's sister.
			Father: Unknown	<b>Note:</b> Current visitation orders exist pursuant to Minute Order dated 10-20-09, which states visits with mother are allowed as mutually agreed upon and are to be supervised by the Guardian. There are to be no overnight visits.
			Paternal Grandfather: Unknown	
			Paternal Grandmother: Unknown	
			Maternal Grandfather: Manual Romero	
			Maternal Grandmother: Deceased	
			Siblings: Selina Romero, Royann Romero	
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
	<b>Notice of Hrg</b>	X	<b>Petitioner states</b> the guardian will not let her see her daughter. He makes it really hard for her to see her and only lets her visit when they are in the area, and then he brings his girlfriend, who is really rude to Petitioner and her family. Petitioner states the girlfriend is always right there following them around the house. Justin (the guardian) knows that Aalyah wants to stay with Petitioner but he tells her no. Petitioner misses her daughter and wants to spend more time with her without Justin or his girlfriend around making it hard to see her. He is letting his girlfriend get in the way of everything. He doesn't stand up for Petitioner or her family. Petitioner doesn't mind of he comes, but he has not been the same since this girlfriend and she is a big problem for all of them. If Petitioner were to say anything they would probably take Aalyah away.	
	<b>Aff.Mail</b>	X		
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
✓	<b>Objections</b>		<b>Objection Filed by Justin Delsid, Guardian, on 6-3-14 states</b> Petitioner has made no changes to her lifestyle (drug use, missing for long periods of time, no job, no car, no financial support, lives with her father). Guardian feels that the related petition by Selina Romero, the minor's sister, is also on the mother's behalf because she knows their mother will not be granted overnight or unsupervised visits. Selina also has no job, no transportation, and lives with boyfriend's family. She has not finished high school and left her father's home to move with the mother leading to delinquency and truancy. This is exactly what Guardian is trying to prevent with Aalyah.	
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
	<b>Order</b>	X		
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			

Reviewed by: skc

Reviewed on: 6-6-14

Updates:

Recommendation:

File 12A - Romero



**Petition for Visitation**

		<b>SELINA ROMERO</b> , Sister, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>JUSTIN DELSID</b> , Brother, was appointed Guardian on 2-2-10.	
		Father: Unknown	
<b>Aff.Sub.Wit.</b>		Paternal Grandfather: Unknown	
<b>Verified</b>		Paternal Grandmother: Unknown	
<b>Inventory</b>		Maternal Grandfather: Manual Romero	
<b>PTC</b>		Maternal Grandmother: Deceased	
<b>Not.Cred.</b>		Siblings: Selina Romero, Royann Romero	
<b>Notice of Hrg</b>		<b>Petitioner states</b> she is requesting visitation rights with her sister. Her brother Justin currently has custody and makes it hard for her to see her as frequently as she should. He occasionally brings her around, but there is a lot of tension and her time with her sister is minimum. When he does bring her, she has no freedom to be herself because his girlfriend follows her around.	
<b>Aff.Mail</b>		Petitioner lives in a separate house from their mother but does not own a car. She has help from family for transportation. Justin takes Aalyah to his girlfriend's family to spend the night and go to gatherings more often than with her actual family. The girlfriend calls the shots and makes decisions for her. Since Justin has had custody, Petitioner has not been able to bond with her sister like two sisters should.	
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>		<b>Objection filed by Justin Delsid, Guardian, on 6-3-14 states</b> that he feels this petition is also on the mother's behalf because Petitioner knows their mother will not be granted overnight or unsupervised visits. Selina also has no job, no transportation, and lives with boyfriend's family. She has not finished high school and left her father's home to move with the mother leading to delinquency and truancy. This is exactly what Guardian is trying to prevent with Aalyah.	
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 6-6-14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 12B - Romero</b>

Aleyna, 16		<b>LARRY R. GONZALES</b> , father, is Petitioner.  <b>ANDY GONZALEZ</b> and <b>REBECCA GONZALES</b> , paternal uncle and aunt, were appointed Co-Guardians of the Person on 01/26/12. – <i>Rebecca Gonzales personally served on 01/16/14</i>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>CONTINUED FROM 03/18/14</b> <b>Minute Order from 03/18/14 states:</b> <b>Also present in the courtroom are Amelia Gonzales and Larry Gonzales, Jr. Visitation as to father is modified as follows: father shall have unsupervised visits every other weekend from Friday at 5:00pm until Sunday at 5:00pm beginning this weekend. The Court orders that mother not visit or be in father's residence while the minors are visiting. The Court further orders that minors not be transported in any vehicle unless the driver is licensed and insured. Larry Gonzales, Jr. is authorized to provide transportation to the minors. The Court orders that there be no alcohol or drugs around the minors during visitation. Parties are ordered not to speak ill of one another around the minors. These rules shall apply to anyone present while the minors are visiting with their father. Father is ordered to provide the court investigator a current status report of anything he is doing while on probation, including but not limited to participation in programs and payment of fees. Said status report is to be provided to the court investigator no later than 06/01/14.</b>
Amelia, 14			
Cont. from		Mother: <b>TAMMY L. GONZALES</b>  Paternal grandfather: ASCENCION GONZALES – deceased Paternal grandmother: LUPE YBARRA  Maternal grandfather: JULIO CRUZ Maternal grandmother: CAROL CRUZ – deceased	1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition to Terminate Guardianship</i> or <i>Consent &amp; Waiver of Notice</i> or <i>Declaration of Due Diligence</i> for: a. Andy Gonzalez (guardian) b. Tammy L. Gonzales (mother) c. Lupe Ybarra (paternal grandmother) d. Julio Cruz (maternal grandfather)
Aff.Sub.Wit.			
✓ Verified		<b>Petitioner states</b> that after 2.5 years, he is now stabilized and drug free. He states that he is now able to care for his children and wants them back.	
Inventory			
PTC		<b>Objection to Termination of Guardianship</b> filed 03/04/14 by guardians, Rebecca and Andy Gonzales, states: They have recently found out that the father, Larry Gonzales, Sr. has had recent DUI's and is currently on probation that will not be completed until August 2015. Further, he is to attend court required classes. They are also aware that he is not to be driving, but they see him driving regularly. Guardians state that Mr. Gonzales has lied to the girls and told them that he has been sober for 2.5 years and they believe him. Guardians would like the court to clarify for the girls that their father has not been honest about his sobriety as evidenced by the DUI's. Further, the guardians state that the father did not follow through on his scheduled visitation and has only exercised visitation about half of the time that he is allotted.	
Not.Cred.			
✓ Notice of Hrg		<b>Court Investigator Jennifer Young filed a report on 03/12/14.</b> The report states it appears premature to terminate the guardianship, as the father has only had supervised visits. It is recommended that the Petition be <b>DENIED</b> .	
Aff.Mail	x		
Aff.Pub.		<b>Court Investigator Jennifer Young filed a supplemental report on 06/03/14.</b> The report states the father, Larry Gonzales, has submitted his written and driving performance evaluation (both passed) and documentation from Kings View Community Service program indicating he is enrolled in their 18 month Multiple Offender Drinking Driver Program to be completed on 10/24/14.	
Sp.Ntc.			
✓ Pers.Serv.			
Conf. Screen			
Letters			
Duties/ Supp			
✓ Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

			<b>ANGELICA AGUNDEZ</b> , Paternal Grandmother, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing.  2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on Blanca De Ramirez (Guardian) and other relatives as appropriate.
			<b>BLANCA DE RAMIREZ</b> , Maternal Grandmother, was appointed Guardian on 1-12-12.	
	Aff.Sub.Wit.		Father: Edgar Agundez (incarcerated)	
✓	Verified		Mother: Karla Alvarez (incarcerated)	
	Inventory		Paternal Grandfather: Moises Agundez	
	PTC		Paternal Grandmother: Angelica Agundez	
	Not.Cred.		Maternal Grandfather: Not listed	
	Notice of Hrg	X	<b>History:</b> Paternal Grandmother filed a petition for visitation on 10-18-13. At the hearing on 12-3-13, the parties were referred to mediation and the matter was continued. A copy of the mediation agreement was filed on 12-4-13. There were no appearances at the continued hearing date on 2-4-14 and the petition was dismissed.	
	Aff.Mail	X	On 4-1-14, Guardian Blanca de Ramirez filed a declaration indicating that various parties were in violation of the agreement; however, no hearing was pending.	
	Aff.Pub.		Petitioner Angelica Agundez filed this new petition on 5-1-14.	
	Sp.Ntc.		<b>Petitioner requests to modify visitation. No other details are provided in the petition.</b>	
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 6-6-14
<b>Updates:</b>
<b>Recommendation:</b>
File 14 - Alvarez

**15 Michael Josiah Robles (GUARD/P)**  
 Atty Robles, Joe (pro per Guardian/Paternal grandfather)  
 Atty Robles, Sharron (pro per Guardian/Paternal grandmother)  
 Atty Williams-Ditto, Christina (pro per Petitioner/Mother)  
 Petition for Termination of Guardianship

Case No. 13CEPR00697

<b>Age: 4 years</b>		<b>CHRISTINA WILLIAMS</b> , mother, is petitioner.  <b>JOE ROBLES</b> and <b>SHARON ROBLES</b> , paternal grandparents, were appointed guardians on 10/10/13.  Father: <b>MICHAEL ROBLES</b>  Petition does not state why terminating the guardianship would be in the minor's best interest.  <b>Minute order dated 10/10/13</b> includes the following: Father is not to live in the guardians' home during the duration of the guardianship. Visits for each parent as follows: Minimum 3 times per week for a minimum 2 hours each visit at the guardians' home or in their presence. If appropriate, the guardian may select a third party to supervise the visits. Mom and dad are not to visit at the same time.  <b>Minute order re: Petition for Visitation dated 2/13/14</b> states the parties agree to mediation and that the petition was dismissed.  <b>Court Investigator Julie Negrete's Report</b> filed on 6/3/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition does not state why terminating the guardianship is in the minor's best interest.  2. Need Notice of Hearing.  3. Need proof of service of the Notice of Hearing on: a. Joe Robles (guardian) b. Sharon Robles (guardian)
<b>Cont. from</b>			
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/> <b>Verified</b>			
<input type="checkbox"/> <b>Inventory</b>			
<input type="checkbox"/> <b>PTC</b>			
<input type="checkbox"/> <b>Not.Cred.</b>			
<input type="checkbox"/> <b>Notice of Hrg</b> <input checked="" type="checkbox"/>			
<input type="checkbox"/> <b>Aff.Mail</b> <input checked="" type="checkbox"/>			
<input type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input type="checkbox"/> <b>Letters</b>			
<input type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input checked="" type="checkbox"/> <b>CI Report</b>			
<input type="checkbox"/> <b>9202</b>			
<input checked="" type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
		<b>Reviewed by: KT</b> <b>Reviewed on: 6/6/14</b> <b>Updates:</b> <b>Recommendation:</b> <b>File 15 - Robles</b>	

		<b>TEMP EXPIRES 4-29-14, extended to 6-10-14</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>LOIS GEORGINE FERRIS and HERMAN RAY FERRIS</b> , Maternal Grandmother and Step-Grandfather, are Petitioners.	Continued from 4-29-14.
			<b>Minute Order 4-29-14:</b> The court dispenses with further notice of the maternal grandfather noting that he is deceased. Mother is directed to speak to the court investigator and provide contact information. Matter continued to 6-10-14. Temp guardianship extended to 6-10-14.
<b>Cont from 042914</b>			
	<b>Aff.Sub.Wit.</b>	Father (all minors): <b>UNKNOWN</b> - Declaration OF Due Diligence filed 4-22-14	
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>	Mother: <b>REBECCA DAWN FRENCH</b> - Personally served 3-3-14	
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>	Paternal grandparents (all minors): Unknown	As of 6-6-14, nothing further has been filed.
	<b>Aff.Mail</b>	Maternal Grandfather: Deceased	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>	<b>Petitioners state</b> Dustin has been in in Petitioners' care since January 2013 and they have had Jocelynn and Divana since February 2014, when the mother was arrested. CPS placed the children with Petitioners and advised them to seek guardianship. Petitioners state the mother has extensive criminal and CPS history and the fathers are unknown. The minors have settled in with Petitioners and feel safe and secure in their home. Their teachers have noted huge differences since they have lived with Petitioners. Petitioner do not want the minors to be placed in the foster care system.	1. Petitioner filed a Declaration of Due Diligence on 4-22-14 regarding the fathers of the minors. If diligence is not found for the father(s) and paternal grandparents, need notice per Probate Code §1511.
✓	<b>Pers.Serv.</b>	W	
✓	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
✓	<b>CI Report</b>		
✓	<b>Clearances</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
✓	<b>UCCJEA</b>	<b>Court Investigator Jennifer Daniel filed a report on 4-22-14.</b>	<b>Reviewed by:</b> skc
	<b>Citation</b>		<b>Reviewed on:</b> 6-6-14
	<b>FTB Notice</b>		<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 16 – French</b>

## Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Diamonique Age: 10		<p align="center"><b><u>GENERAL HEARING 07/28/2014</u></b></p> <p><b>CHRISTINA CALDERON</b>, maternal grandmother, is petitioner.</p> <p>Father: <b>CHRISTOPHER CORY BOUCHER</b></p> <p>Mother: <b>CHRISTINA A. BOUCHER</b></p> <p>Paternal Grandfather: Joe Boucher Paternal Grandmother: Patricia Boucher</p> <p>Maternal Grandfather: Joe Calderon</p> <p><b>Petitioners states:</b> the mother is homeless and on meth. When the mother comes around she yell, curses and argues with the petitioner in front of the children. The children do not want to live with their parents. The father is in Nebraska in the Air Force. The children have been residing with the petitioner for about four years.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Christopher Cory Boucher (Father)</li> <li>• Christina A. Boucher (Mother)</li> </ul> </li> </ol>	
Victoria Age: 9				
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			x
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 06/06/2014</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 18 - Boucher</b></p>				

**1A Richard Michael Noroyan (Estate)****Case No. 13CEPR00542**

Atty Shafer, Claudia Y. (of Murphys, CA for Hugo Noroyan – Father/Contestant)  
 Atty Kruthers, Heather H. (for Public Administrator – Administrator)  
 Atty Motsenbocker, Gary L. (for Patricia English – Mother/Contestant)  
 Atty Keeler, William J. (for Ian Mitchinson – Friend/Respondent)

**Contest and Grounds of Objection to Probate of Purported Will (English)**

<b>DOD: 03/28/13</b>		<b>HUGO NOROYAN, Father, and PATRICIA ENGLISH, Mother,</b> filed competing petitions petition for Letters of Administration.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 032514, 042814</b>		On 8/19/13, the Court appointed the <b>FRESNO COUNTY PUBLIC ADMINISTRATOR.</b>	The following matters are on calendar:
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	On 01/23/14, <b>IAN MITCHINSON</b> , friend, filed a Petition for Probate seeking to be appointed as Administrator with Will Annexed and have a holographic instrument purported to be decedent's will dated 11/02/12 admitted to Probate.	<b>A: Patricia English Contest</b>
<input checked="" type="checkbox"/>	<b>Verified</b>		<b>B: Hugo Noroyan Contest</b>
<input type="checkbox"/>	<b>Inventory</b>		<b>C: Hugo Noroyan's Motion to Strike Ian Mitchinson's Consolidated Answer to both contests</b>
<input type="checkbox"/>	<b>PTC</b>		<b>D: Settlement Conference</b>
<input type="checkbox"/>	<b>Not.Cred.</b>		These notes (A) pertain to the Contest and Objection filed by Patricia English:
<input type="checkbox"/>	<b>Notice of Hrg</b>	<b>PATRICIA ENGLISH filed Contest and Grounds of Objection to Probate of Purported Will on 02/21/14. Ms. English states:</b>	1. Need Summons and proof of service of Summons. §8250.
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		2. Need Notice of Hearing and proof of service on all interested parties at least 15 days prior to the hearing. §1221.
<input type="checkbox"/>	<b>Aff.Pub.</b>		<b>Note:</b> Proof of Service by Mailing filed 2-25-14 in pleading form is not consistent with the requirements of the Probate Code for notice of hearing. See applicable law.
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	1. She has standing to contest and object to the purported because she is an intestate heir of the decedent.	
<input type="checkbox"/>	<b>Conf. Screen</b>	2. The alleged document proffered as decedent's will does not meet the statutorily prescribed validity requirements of the Probate Code for a will.	
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input checked="" type="checkbox"/>	<b>Objections</b>	3. Contestant alleges that the "will" is not, and never was, decedent's last will and testament and that at the time of its alleged execution, said execution was procured by fraud, duress and/or undue influence by Respondent, Ian W. Mitchinson. The Contestant alleges and contends that the latter portion of the document purported to be decedent's "will" was added without the decedent's knowledge or consent. Contestant is informed and believes that the decedent never intended to leave his estate or his "winnings" to the Ian Mitchinson.	
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		<b>Reviewed by:</b> JF
<input type="checkbox"/>	<b>Status Rpt</b>		<b>Reviewed on:</b> 6-6-14 (skc)
<input type="checkbox"/>	<b>UCCJEA</b>		<b>Updates:</b>
<input type="checkbox"/>	<b>Summons</b>		<b>Recommendation:</b>
<input type="checkbox"/>	<b>FTB Notice</b>		<b>File 1A – Noroyan</b>

**Continued on Page 2****1A**

4. Contestant alleges that the "will" was not executed by the decedent and/or attested in the manner and in the form required by law for the due execution of a will.
5. Contestant alleges that on the date of the alleged execution of the "will", decedent lacked the requisite testamentary intent.
6. Contestant alleges that Respondent took unfair advantage of the Decedent; that Respondent arranged for the "witnessing" of the purported will; that the will was not the free and voluntary act of decedent; that the "will" was the product of Respondent's undue influence, duress and/or coercion that it unduly profited the Respondent.
7. Contestant alleges that the underlying agreement is invalid and unenforceable as it is against public policy agreement by its terms and that the agreement is "usurious" and that the express purpose of the loan is contrary to public policy in that it is a gambling related agreement or activity of gambling; and that such agreements are either expressly prohibited by law or are unenforceable as "otherwise contrary to good morals" which is in violation of the public policy of this state.
8. Contestant alleges that if the agreement and/or any provision of the agreement is in furtherance of a gambling related agreement or activity it is expressly and impliedly against public policy and that as such it is unenforceable; that the agreement by its terms is unconscionable and if enforced the Respondent would be unjustly enriched; that the Respondent would reap an undue profit; and that the disposition proposed by the instrument is unnatural.
9. Contestant alleges that the underlying debt was paid by the decedent, further that the note should have been returned to the decedent marked "paid in full"; and that pursuant to law all terms of the note were discharged upon the payment of debt; or in the alternative that the note and all obligations under the agreement were extinguished upon the payment of the underlying obligation.

**Objector/Contestant requests that this Court order that:**

1. **The Contest and Grounds of Objection to Probate of Purported Will be allowed and approved as filed;**
2. **The purported "will" be denied admission to Probate;**
3. **The Petitioner's petition be denied in its entirety;**
4. **The petition be dismissed with prejudice;**
5. **The Contestant be awarded reasonable attorney's fees; and**
6. **The Contestant be awarded costs of the suit.**

**On 3-7-14, Ian Mitchinson filed a ted Answer of Ian W. Mitchinson to Written Oppositions of Probate of Purported Will. See Page B for details.**



**Contest and Grounds of Objection to Probate of Purported Will (Noroyan)**

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td colspan="2"><b>DOD: 03/28/13</b></td></tr> <tr><td colspan="2"> </td></tr> <tr><td colspan="2"> </td></tr> <tr><td colspan="2"> </td></tr> <tr><td colspan="2"> </td></tr> <tr><td colspan="2"><b>Cont from 042814</b></td></tr> <tr><td> </td><td><b>Aff.Sub.Wit.</b></td></tr> <tr><td>✓</td><td><b>Verified</b></td></tr> <tr><td> </td><td><b>Inventory</b></td></tr> <tr><td> </td><td><b>PTC</b></td></tr> <tr><td> </td><td><b>Not.Cred.</b></td></tr> <tr><td> </td><td><b>Notice of Hrg</b></td></tr> <tr><td> </td><td><b>Aff.Mail</b></td></tr> <tr><td> </td><td><b>Aff.Pub.</b></td></tr> <tr><td> </td><td><b>Sp.Ntc.</b></td></tr> <tr><td> </td><td><b>Pers.Serv.</b></td></tr> <tr><td> </td><td><b>Conf. Screen</b></td></tr> <tr><td> </td><td><b>Letters</b></td></tr> <tr><td> </td><td><b>Duties/Supp</b></td></tr> <tr><td> </td><td><b>Objections</b></td></tr> <tr><td> </td><td><b>Video Receipt</b></td></tr> <tr><td> </td><td><b>CI Report</b></td></tr> <tr><td> </td><td><b>9202</b></td></tr> <tr><td> </td><td><b>Order</b></td></tr> <tr><td> </td><td><b>Aff. Posting</b></td></tr> <tr><td> </td><td><b>Status Rpt</b></td></tr> <tr><td> </td><td><b>UCCJEA</b></td></tr> <tr><td> </td><td><b>Citation</b></td></tr> <tr><td> </td><td><b>FTB Notice</b></td></tr> </table>	<b>DOD: 03/28/13</b>										<b>Cont from 042814</b>			<b>Aff.Sub.Wit.</b>	✓	<b>Verified</b>		<b>Inventory</b>		<b>PTC</b>		<b>Not.Cred.</b>		<b>Notice of Hrg</b>		<b>Aff.Mail</b>		<b>Aff.Pub.</b>		<b>Sp.Ntc.</b>		<b>Pers.Serv.</b>		<b>Conf. Screen</b>		<b>Letters</b>		<b>Duties/Supp</b>		<b>Objections</b>		<b>Video Receipt</b>		<b>CI Report</b>		<b>9202</b>		<b>Order</b>		<b>Aff. Posting</b>		<b>Status Rpt</b>		<b>UCCJEA</b>		<b>Citation</b>		<b>FTB Notice</b>	<p><b>HUGO NOROYAN, Father, and PATRICIA ENGLISH, Mother,</b> filed competing petitions petition for Letters of Administration.</p> <p>On 8/19/13, the Court appointed the <b>FRESNO COUNTY PUBLIC ADMINISTRATOR.</b></p> <p>On 01/23/14, <b>IAN MITCHINSON</b>, friend, filed a Petition for Probate seeking to be appointed as Administrator with Will Annexed and have a holographic instrument purported to be decedent's will dated 11/02/12 admitted to Probate.</p> <p><b>HUGO NOROYAN filed Contest and Grounds of Objection to Probate of Purported Will on 02/26/14. Mr. Noroyan states:</b></p> <ol style="list-style-type: none"> <li>Decedent died on 03/28/13. On 01/23/14, Ian Mitchinson (hereinafter "Respondent") filed in this court a document dated 11/02/12, purporting to be the last will of the decedent, together with a petition requesting that the document be admitted to probate as the decedent's last will and that letters of administration be issued to Respondent.</li> <li>Contestant alleges that the document was not executed by decedent and attested in the matter and form required by law for the execution of a will.</li> </ol> <p style="text-align: center;"><b>Continued on Page 2</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>These notes (B) pertain to the Contest and Objection filed by Hugo Noroyan:</p> <ol style="list-style-type: none"> <li>Need Notice of Hearing and proof of service on all interested parties at least 15 days prior to the hearing. §1221.</li> <li>Need order.</li> </ol> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td><b>Reviewed by:</b> skc</td></tr> <tr><td><b>Reviewed on:</b> 6-6-14</td></tr> <tr><td><b>Updates:</b></td></tr> <tr><td><b>Recommendation:</b></td></tr> <tr><td><b>File 1B – Noroyan</b></td></tr> </table>	<b>Reviewed by:</b> skc	<b>Reviewed on:</b> 6-6-14	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 1B – Noroyan</b>
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3. Contestant alleges that the document is not and never was decedent's will and was made at the time of its alleged execution as a result of undue influence, fraud and duress to which decedent was subjected to by Respondent in that:
  - a. At the time the purported will was procured, Respondent knew the decedent had recently won one million dollars at an Indian casino. He also knew decedent was in poor health, had a gambling addiction and as a result he placed his trust and confidence in Respondent who took unfair advantage of decedent's state of mind.
  - b. During the same time period, by reason of the relationship of decedent with Respondent, Respondent was able to exert control and influence over the mind and actions of Decedent to such a point that Decedent was no longer capable of exercising his own conviction or desire with regard to his actions or thoughts, but rather, because of the pressure brought on him by Respondent, both by coercion and entreaty, decedent's convictions or desires became the convictions or desires imposed on him by Respondent.
  - c. During this time, while decedent was under duress and Respondent's undue influence, Respondent wrote the contents or and arranged for witnesses to the document submitted for probate to this court by Respondent. At the time the document was allegedly executed, decedent was wholly under the influence of Respondent and the document does not represent the free and voluntary act of decedent.
4. Contestant alleges that the document offered for probate cannot be construed as a conditional will in that:
  - a. The top part of the writing offered for probate is an apparent note for repayment of a gambling debt which on its face is usurious under the law and unenforceable.
  - b. The decedent paid back the debt to Respondent thereby extinguishing the terms of the note and therefore there is no relationship between the top part of the writing and the bottom part of the writing, which was written by the Respondent at a different time unbeknownst to the decedent in order to defraud the decedent and unjustly acquire his gambling winnings.

**Contestant requests that the purported will be denied probate, for costs of suit and all other proper relief.**

**Continued on Page 3**

**Consolidated Answer of Ian W. Mitchinson to Written Oppositions of Probate of Purported Will filed 03/07/14 states:**

1. Respondent denies all of the allegations in both Oppositions other than to admit that the decedent died on 03/28/13 as a resident of Fresno County and that he was never married and had no children.
2. Affirmative defenses are asserted as follows:
  1. Failure to state grounds – the contest and grounds of opposition to probate of the purported will fails to state facts sufficient to grounds of opposition to probate of the will.
  2. Superseding cause – Respondent alleges that the Contestants are barred from any recovery by reason of acts or omissions of Contestants and/or others which acts or omissions constitute an intervening or superseding cause of their disinheritance and lack the standing to inherit, if any there be.
  3. Excuse – Contestants' rights to inherit and any acts or omissions on Contestants' part, if any, are excused by the acts, errors, or omissions and nonperformance of Contestants.
  4. Lack of Relationship – Respondent alleges that there was no relationship whatsoever between decedent and Contestant Noroyan giving rise to standing as an intestate heir.
  5. Lack of Standing – Contestant Noroyan lacks standing to assert any ground of contest to the Petition for Probate.
  6. Vague, Ambiguous, Uncertain, and Lack of Specificity – Contestants' Oppositions and contest of the Petition for Probate and their purported grounds of contest and each of them, are vague, ambiguous, uncertain, and fail to allege adequate specificity required by California law, the California Probate Code and California rules of Civil Procedure.
  7. Other defenses – Respondent presently has insufficient knowledge or information on which to form a belief as to whether additional affirmative defenses may exist. Accordingly, Respondent reserves the right to assert additional affirmative defenses in the event discovery indicates they would be appropriate.

**Respondent requests judgment as follows:**

1. That the contest and grounds of opposition to the purported will be dismissed with prejudice and Contestants English and Noroyan take nothing by their actions;
2. That decedent's estate be admitted to probate and administered according to the will dated 11/02/12; and
3. That Respondent be awarded costs of suit.

**On 3-7-14, Hugo Noroyan filed Notice of Motion and Motion to Strike; Memorandum of Points and Authorities in Support of Motion to Strike. CCP §§ 435, 436, 437, 446. See Page C.**

**Notice of Motion and Motion to Strike;**

**Memorandum of Points and Authorities in Support of Motion to Strike Hearing**

<b>DOD: 03/28/13</b>  <b>Cont from 042814</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 150px;">Aff.Sub.Wit.</td><td></td></tr> <tr><td>Verified</td><td style="text-align: center;">X</td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td style="text-align: center;">X</td></tr> <tr><td>Aff.Mail</td><td style="text-align: center;">X</td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td style="text-align: center;">X</td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Summons</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	Aff.Sub.Wit.		Verified	X	Inventory		PTC		Not.Cred.		Notice of Hrg	X	Aff.Mail	X	Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		CI Report		9202		Order	X	Aff. Posting		Status Rpt		UCCJEA		Summons		FTB Notice		<p><b>HUGO NOROYAN</b> filed this Notice of Motion and Motion to Strike; Memorandum of Points and Authorities in Support of Motion to Strike Hearing on 3-21-14.</p> <p><b>Petitioner states</b> this motion is made on the ground that the pleading to be stricken is not drawn or filed in conformity with the laws of this state, a court rule, or an order of the Court.</p> <p><b>See Memorandum of Points and Authorities.</b></p> <p><b>Response filed 4-15-14 by Attorney Jennifer Gould (not verified by IAN MITCHINSON) states the motion should be denied in its entirety because the motion is moot.</b></p> <p>Petitioner (Ian Mitchinson) attempted to meet and confer with Mr. Noroyan's attorney to attempt to resolve the matter without further court involvement but has received no reply to his letter of 4-8-14. Mr. Noroyan's attorney was not present at a hearing at which time this motion was continued to a later day and at which its substance was noted by the court.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: Examiner Notes cannot summarize Points and Authorities. Please see pleading filed 3-21-14.</b></p> <ol style="list-style-type: none"> <li>1. The motion is not verified.</li> <li>2. Need Notice of Hearing.</li> <li>3. Need proof of service of Notice of Hearing at least 15 days prior to hearing on all interested parties.</li> <li>4. Need order.</li> </ol>
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<b>1D</b>	<b>Richard Michael Noroyan (Estate)</b>	<b>Case No. 13CEPR00542</b>
Atty	Shafer, Claudia Y. (of Murphys, CA for Hugo Noroyan – father/Contestant)	
Atty	Kruthers, Heather H. (for Public Administrator – Administrator)	
Atty	Motsenbocker, Gary L. (for Patricia English – mother/Contestant)	
Atty	Keeler, William J. (for Ian Mitchinson – friend/Respondent)	
	<b>Settlement Conference</b>	

DOD: 03/28/13			<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Examiner Notes are not prepared for Settlement Conference.</u>
Cont from 042814			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Summons		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 6-6-14
			Updates:
			Recommendation:
			File 1A – Noroyan